

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Richard Vile & Michael Gough  
Serial No.: Not yet assigned  
Filed: November 22, 2000  
Entitled: Gene Expression by Positive Feedback  
Activation of a Cell Type-Specific Promoter

JC815 U.S. PRO  
09/721391  
11/22/00

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, Express Mail Label No. EL592002542US on this date, November 22, 2000, postage prepaid, in an envelope addressed to Box: Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Kimberly Coyne  
Name of Person Mailing Paper

Kimberly Coyne  
Signature of Person Mailing Paper

Box: Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. New Utility Patent Application Transmittal;
2. Patent Application Specification, (47 pages);
3. (27) sheets of informal drawings;
4. Patent Data Entry Form;
5. Check in the amount of \$841.00 for the requisite filing fee; and
6. Return Post Card.

Pursuant to 37 C.F.R. § 1.27, Applicant claims small entity status.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 18093/1170. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: November 22, 2000

Dianne Rees

Dianne Rees, Ph.D.  
Registration No.: 45,281  
PALMER AND DODGE, LLP  
One Beacon Street  
Boston, MA 02109-3190  
Telephone No: (617) 573-0100

0974391-1390  
0974391-1390

# NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket N .: 18093/1170

## CERTIFICATE OF MAILING UNDER 37 CFR 1.10

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*Kimberly Coyne*  
Name of Person Mailing Paper

*Kimberly Coyne*  
Signature of Person Mailing Paper

Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Enclosed herewith is a new patent application of:

First Named Inventor (or application identifier): Richard Vile & Michael Gough

Title of Invention: Gene Expression by Positive Feedback Activation of a Cell Type-Specific Promoter

Type: ☒ New  
☐ Continuation  
☐ Continuation-in-Part  
☐ Divisional

And includes the following papers:

1. ☒ Specification 47 pages (including specification, claims, abstract)/59 claims (3 independent)
2. ☒ Declaration/Power of Attorney is:  
☐ attached ☐ executed ☐ unexecuted  
☒ NOT included, but deferred under 37 C.F.R. § 1.53(f).
3. ☒ 27 Distinct sheets of ☐ Formal ☒ Informal Drawings
4. ☐ Preliminary Amendment.
5. ☐ Information Disclosure Statement  
☐ Form 1449  
☐ A copy of each cited prior art reference
6. ☐ Assignment with Recordation Cover Sheet.
7. ☒ Priority is hereby claimed under 35 U.S.C. § 119, based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
United States	60/167,085	November 23, 1999

8. ☐ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)

9. ☐ Priority document(s).

# NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 18093/1170

10. ☒ Statement of Small Entity Status, Pursuant to 37 C.F.R. §1.27.
11. ☐ Microfiche Computer Program (Appendix).
12. ☐ Nucleotide and/or Amino Acid Sequence Submission.  
☐ Computer Readable Copy.  
☐ Paper Copy (identical to computer copy).  
☐ Statement verifying identity of above copies.

13. Calculation of Fees:

FEES FOR	TOTAL CLAIMS	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))				\$710.00
Total Claims in <b>Excess of 20</b> (37 C.F.R. § 1.16(c))	59	39	\$18.00	\$702.00
Independent Claims in <b>Excess of 3</b> (37 C.F.R. § 1.16(b))	3	0	\$80.00	\$0.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	y		\$270.00	\$270.00
Subtotal - Filing Fee Due				\$1,682
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	MULTIPLY BY 0.50			\$841.00
<b>TOTAL FILING FEE DUE</b>				\$841.00
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0		\$40.00	n/a
<b>GRAND TOTAL DUE</b>				<b>\$841.00</b>

14. PAYMENT is:  
☒ included in the amount of \$841.00 by our enclosed check. The Commissioner is hereby authorized to charge any deficiencies in the fees to Deposit Account 16-0085, Ref. 18093/1170.  
☐ not included, but deferred under 37 C.F.R. § 1.53(f).

15. All correspondence for the attached application should be directed to:

Kathleen M. Williams  
Palmer & Dodge, LLP  
One Beacon Street  
Boston, MA 02108  
Telephone: (617) 573-0100  
Facsimile: (617) 227-4420

16. Other: Patent Data Entry Form

Respectfully submitted,

Date: November 22, 2000

By: Dianne Rees  
Dianne Rees, Ph.D.  
Registration No.: 45,281

## Inventor Information

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## Correspondence Information

Palmer & Dodge, LLP  
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Attention: Kathleen M. Williams

## Application Information

Title Line One: Gene Expression by Positive Feedback Activation of a Cell Type-Specific Promoter  
Title Line Two:  
Total Drawing Sheets: 27  
Formal Drawings: N  
Application Type: Utility  
Docket Number: 18093/1170  
Licensed – US Government Agency: No

Contract Number: N/A  
Grant Number: N/A  
Secrecy Order in Parent Application: No

**Representative Information**

Dianne M. Rees  
Palmer & Dodge LLP  
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Boston, MA 02108

**Continuity Information**

This application claims priority under 35 U.S.C. § 119(e) to  
>Application One: 60/167,085  
Filing Date: November 22, 2000

60/167,085